

Before the Board of Zoning Adjustment, D. C.

Application No. 11435, of John B. Mannes pursuant to Section 8207.11 for a variance to permit construction of a driveway less than 14 feet to serve parking lot for employees as provided by Section 7206.7 located between 5110 and 5112 MacArthur Boulevard, N.W., Lot 813, Square 1418.

HEARING DATE: September 19, 1973

EXECUTIVE SESSION: October 3, 1973

FINDINGS OF FACT:

1. The subject property is located in a C-1 District. It consists of 2,500 square feet with a 10 foot wide access fronting on MacArthur Boulevard.

2. Applicant wishes to establish a parking lot at above premises to serve his employees at 5104 MacArthur Boulevard. The lot is presently vacant.

3. The Department of Highways and Traffic objected to the driveway for the following reasons:

a. The buildings abutting the driveway restrict visibility to and of pedestrians;

b. Existing trees and telephone poles limit visibility of oncoming vehicles on MacArthur Boulevard;

c. The existing grade of the driveway is approximately 25% and is in excess of the 12% required for public parking lots.

4. Applicant neither submitted plans of the proposed driveway nor evidence of whether or not the finished grade would be 12% or less.

5. Property owners adjacent to the subject property felt the driveway was too steep and the lot itself would present a drainage problem.

6. At no time did applicant produce evidence of a hardship.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board concludes that by reason of the 25% grade of the proposed driveway, its construction would create a dangerous and objectionable traffic condition and have an adverse affect on nearby property. The Board also concludes that applicant has not provided a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional difficulties to the owner.

ORDERED:

That the above application be DENIED.

Vote: 3-1-0 (Mr. McIntosh abstaining and Mr. Harps not present.)

FINAL DATE OF ORDER: DEC 19 1973.

ATTESTED By:



JAMES E. MILLER
Secretary to the Board